

#476

ORIGINAL

IN THE UNITED STATES BANKRUPTCY COURT

FILED

FOR THE DISTRICT OF DELAWARE

2001 JUN 14 PM 3:50

IN RE:

) Chapter 11

U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE

W. R. GRACE & CO., et al.,

) Case No. 01-1139 (JJF)

Debtors.

) (Jointly-Administered)

CERTIFICATION OF NO OBJECTION
REGARDING DOCKET NO. 290

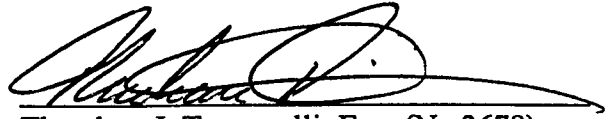
The undersigned hereby certifies that, as of the date hereof, he has received no answer, objection or other responsive pleading to the Application of the Official Committee of Asbestos Property Damage Claimants for an Order Authorizing Employment and Retention of Ferry & Joseph, P.A., *Nunc Pro Tunc*, as of April 18, 2001, as Local Counsel for the Official Committee of Asbestos Property Claimants ("Application"), filed on May 22, 2001. The undersigned further certifies that he has reviewed the Court's docket in this case, and no Answer, Objection or other responsive pleading to the Application appears thereon. Pursuant to the Notice of Application, Objections to the Application were to be filed and served no later than June 11, 2001.

However, the Official Committee of Unsecured Creditors ("Creditors' Committee") and the Debtors contacted Ferry & Joseph, P.A. regarding some concerns over the proposed form of Order attached to the Application. The parties have resolved the concerns of the Creditors' Committee and the Debtors by revising the proposed form of Order, which is attached hereto.

It is hereby respectfully requested that the Order attached hereto be entered at the earliest convenience of the Court.

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FERRY & JOSEPH, P.A.

A handwritten signature in black ink, appearing to read 'Theodore J. Tacconelli', written over a horizontal line.

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Proposed Local Counsel for the Official
Committee of Asbestos Property Damage
Claimants

Dated: June 14, 2001

TJT/msj

F:\Meredith\TJT\WRGraceBankMBJ\F&JCertNoObject.wpd

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:) Chapter 11
)
W. R. GRACE & CO., et al.,) Case No. 01-1139 (JJF)
)
Debtors.) (Jointly-Administered)

**ORDER GRANTING APPLICATION BY THE OFFICIAL COMMITTEE OF
ASBESTOS PROPERTY DAMAGE CLAIMANTS FOR APPROVAL
OF EMPLOYMENT OF FERRY & JOSEPH, P.A. AS ITS COUNSEL,
NUNC PRO TUNC, TO APRIL 18, 2001**

This matter came before the Court on the application by the Official Committee of Asbestos Property Damage Claimants for Approval of the Employment of Ferry & Joseph, P.A. as Local Counsel, *Nunc Pro Tunc*, to April 18, 2001 (the "Application"), filed by the Official Committee of Asbestos Property Damage Claimants (the "Committee") and the Affidavit of Michael B. Joseph on behalf of Ferry & Joseph, P.A., pursuant to Federal Rule of Bankruptcy Procedure 2014 (the "Affidavit"), a copy of which is Exhibit "A" to the Application, wherein the Committee seeks authorization to employ the law firm of Ferry & Joseph, P.A. (the "Firm") as its counsel. The Court, having considered the Application and the Affidavit, and based upon the representations made therein, the Firm represents or holds no interest adverse to the above-captioned Debtors, their Creditors or any other party in interest, including their respective attorneys or accountants, the United States Trustee, or any person employed in the Office of the United States Trustee, and is a disinterested person as contemplated by 11 U.S.C. §101(14), the employment of the Firm is necessary and would be in the best interests of the Committee, and notice of the Application is sufficient, and being otherwise fully advised in the premises, finds good cause to grant the Application. Accordingly, it is

ORDERED, that, pursuant to 11 U.S.C. §1103(a), the Committee is authorized to employ and retain the Firm as its attorneys upon the terms and conditions set forth in the Application, *Nunc Pro Tunc*, to April 18, 2001; and it is further

ORDERED, that the Firm shall be compensated in accordance with the procedures set forth in 11 U.S.C. §§ 330 and 331, applicable Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and other such procedures which may be fixed by Order of this Court.

Dated: June 21, 2001
Wilmington, Delaware


UNITED STATES DISTRICT COURT JUDGE

TJT/msj
F:\Meredith\TJT\WRGraceBankMBJ\Revised Order Applic.wpd

289

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W.R. GRACE & CO., et al.,)	Case No. 01-01139 (JJF)
)	
)	
Debtors.)	(Jointly Administered)
)	
)	
)	

**ORDER GRANTING APPLICATION BY THE OFFICIAL COMMITTEE
OF PROPERTY DAMAGE CLAIMANTS FOR APPROVAL OF EMPLOYMENT
OF BILZIN SUMBERG DUNN BAENA PRICE & AXELROD LLP
AS ITS COUNSEL, NUNC PRO TUNC TO APRIL 9, 2001**

THIS MATTER came before the Court on the Application by the Official Committee of Property Damage Claimants for Approval of Employment of Bilzin Sumberg Dunn Baena Price & Axelrod LLP as Its Counsel, Nunc Pro Tunc to April 9, 2001 (the "Application"), filed by the Official Committee of Property Damage Claimants (the "Committee"), and the Affidavit of Scott L. Baena on Behalf of Bilzin Sumberg Dunn Baena Price & Axelrod LLP Pursuant to Federal Rule of Bankruptcy Procedure 2014 (the "Affidavit"), a copy of which is Exhibit A to the Application, wherein the Committee seeks authorization to employ the law firm of Bilzin Sumberg Dunn Baena Price & Axelrod LLP (the "Firm") as its counsel. The Court, having considered the Application and the Affidavit, and that, based upon the representations made therein, the Firm represents or holds no interest adverse to the above-captioned debtors, their creditors or any other party in interest, including their respective attorneys or accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and is a disinterested person as contemplated by 11 U.S.C. § 101(14), the employment of the Firm is necessary and would be in the best interests of the Committee, and

Case No. 01-01139 (JJF)

notice of the Motion is sufficient, and being otherwise fully advised in the premises, finds good cause to grant the Motion. Accordingly, it is

ORDERED that, pursuant to 11 U.S.C. § 1103(a), the Committee is authorized to employ and retain the Firm as its attorneys upon the terms and conditions set forth in the Application, nunc pro tunc to April 9, 2001; and it is further

ORDERED that the Firm shall be compensated in accordance with the procedures set forth in 11 U.S.C. §§ 330 and 331, applicable Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and such other procedures which may be fixed by Order of this Court.

Dated: June 21, 2001
Wilmington, Delaware


UNITED STATES DISTRICT COURT JUDGE

Copy furnished to:

Scott L. Baena, Esq.

[Attorney Baena is directed to mail a conformed copy of this Order upon all interested parties.]

510517

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Case No. 01-1139 (RJN)

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